

Exhibit A

Takashima, Edward

From: Mishkin, Paul S. <paul.mishkin@davispolk.com>
Sent: Friday, November 18, 2022 3:55 PM
To: Gillen, Elizabeth A.; DavidMarriott-contact; msegall@cravath.com; Harty, Ronan P.; Solomon, Jesse; 'Kane, Patrick M.'; Williams, Nikolaus; Miller, Benjamin M.; kforrest@cravath.com; Mark E. Anderson (manderson@mcguirewoods.com); ChristineA.Varney-contact; JesseM.Weiss-contact
Cc: Weingarten, James; Baker, Joseph; Woodward, Mark; Takashima, Edward; Carson, Wesley; Kendall, Sandra; Nicole.Gordon@doj.ca.gov; carla.baumel@coag.gov; paul.harper@ilag.gov; Matthew.Michaloski@atg.in.gov; Noah.Goerlitz@ag.iowa.gov; Katherine.Moerke@ag.state.mn.us; Snider, Colin; Margaret.Sharp@oag.texas.gov; tim.smith@doj.state.or.us; LauraMcFarlane-Contact
Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Yes, we'll join.

Thanks,
Paul

Paul S. Mishkin

Davis Polk & Wardwell LLP
+1 212 450 4292 office
+1 917 783 6386 mobile
paul.mishkin@davispolk.com

From: Gillen, Elizabeth A. <egillen@ftc.gov>
Sent: Friday, November 18, 2022 3:47 PM
To: dmarriott@cravath.com; Mishkin, Paul S. <paul.mishkin@davispolk.com>; msegall@cravath.com; Harty, Ronan P. <ronan.harty@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; kforrest@cravath.com; Mark E. Anderson (manderson@mcguirewoods.com) <manderson@mcguirewoods.com>; cvarney@cravath.com; JesseM.Weiss-contact <jweiss@cravath.com>
Cc: Weingarten, James <jweingarten@ftc.gov>; Baker, Joseph <jbaker1@ftc.gov>; Woodward, Mark <mwoodward@ftc.gov>; Takashima, Edward <etakashima@ftc.gov>; Carson, Wesley <wcarson@ftc.gov>; Kendall, Sandra <skendall@ftc.gov>; Nicole.Gordon@doj.ca.gov; carla.baumel@coag.gov; paul.harper@ilag.gov; Matthew.Michaloski@atg.in.gov; Noah.Goerlitz@ag.iowa.gov; Katherine.Moerke@ag.state.mn.us; Snider, Colin <colin.snider@nebraska.gov>; Margaret.Sharp@oag.texas.gov; tim.smith@doj.state.or.us; mcfarlanele@doj.state.wi.us
Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Thank you for the quick reply. Will Syngenta be joining as well?

From: David Marriott <dmarriott@cravath.com>
Sent: Friday, November 18, 2022 3:34 PM
To: Gillen, Elizabeth A. <egillen@ftc.gov>; Mishkin, Paul S. <paul.mishkin@davispolk.com>; Margaret Segall <MSegall@cravath.com>; Harty, Ronan P. <ronan.harty@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; Katherine Forrest <kforrest@cravath.com>; Mark E. Anderson (manderson@mcguirewoods.com) <manderson@mcguirewoods.com>; ChristineA.Varney-contact <cvarney@cravath.com>; JesseM.Weiss-contact <jweiss@cravath.com>
Cc: Weingarten, James <jweingarten@ftc.gov>; Baker, Joseph <jbaker1@ftc.gov>; Woodward, Mark <mwoodward@ftc.gov>; Takashima, Edward <etakashima@ftc.gov>; Carson, Wesley <wcarson@ftc.gov>; Kendall,

Sandra <skendall@ftc.gov>; Nicole.Gordon@doj.ca.gov; carla.baumel@coag.gov; paul.harper@ilag.gov; Matthew.Michaloski@atg.in.gov; Noah.Goerlitz@ag.iowa.gov; Katherine.Moerke@ag.state.mn.us; Snider, Colin <colin.snider@nebraska.gov>; Margaret.Sharp@oag.texas.gov; tim.smith@doj.state.or.us; LauraMcFarlane-Contact <mcfarlanele@doj.state.wi.us>

Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

It does. Thanks.

From: Gillen, Elizabeth A. <egillen@ftc.gov>

Sent: Friday, November 18, 2022 3:31 PM

To: David Marriott <dmarriott@cravath.com>; Mishkin, Paul S. <paul.mishkin@davispolk.com>; Margaret Segall <MSegall@cravath.com>; Harty, Ronan P. <ronan.harty@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; Katherine Forrest <kforrest@cravath.com>; Mark E. Anderson (<manderson@mcguirewoods.com>) <manderson@mcguirewoods.com>; Christine Varney <cvarney@cravath.com>; Jesse Weiss <jweiss@cravath.com>

Cc: Weingarten, James <jweingarten@ftc.gov>; Baker, Joseph <jbaker1@ftc.gov>; Woodward, Mark <mwoodward@ftc.gov>; Takashima, Edward <etakashima@ftc.gov>; Carson, Wesley <wcarson@ftc.gov>; Kendall, Sandra <skendall@ftc.gov>; Nicole.Gordon@doj.ca.gov; carla.baumel@coag.gov; paul.harper@ilag.gov; Matthew.Michaloski@atg.in.gov; Noah.Goerlitz@ag.iowa.gov; Katherine.Moerke@ag.state.mn.us; Snider, Colin <colin.snider@nebraska.gov>; Margaret.Sharp@oag.texas.gov; tim.smith@doj.state.or.us; LauraMcFarlane-Contact <mcfarlanele@doj.state.wi.us>

Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Thank you. Does 1:00 p.m. ET on Monday work for Corteva? If so, we will send a scheduler.

Best,
Elizabeth

From: David Marriott <dmarriott@cravath.com>

Sent: Friday, November 18, 2022 2:55 PM

To: Gillen, Elizabeth A. <egillen@ftc.gov>; Mishkin, Paul S. <paul.mishkin@davispolk.com>; Margaret Segall <MSegall@cravath.com>; Harty, Ronan P. <ronan.harty@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; Katherine Forrest <kforrest@cravath.com>; Mark E. Anderson (<manderson@mcguirewoods.com>) <manderson@mcguirewoods.com>; ChristineA.Varney-contact <cvarney@cravath.com>; JesseM.Weiss-contact <jweiss@cravath.com>

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Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Elizabeth,

Corteva is not available on Tuesday, but we would like to discuss the case, including motion practice/schedule on Monday afternoon, if that would work.

Best,

Dave

From: Gillen, Elizabeth A. <egillen@ftc.gov>

Sent: Friday, November 18, 2022 11:28 AM

To: Mishkin, Paul S. <paul.mishkin@davispolk.com>; Margaret Segall <MSegall@cravath.com>; Harty, Ronan P. <ronan.harty@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; David Marriott <dmarriott@cravath.com>; Katherine Forrest <kforrest@cravath.com>; Mark E. Anderson (<manderson@mcguirewoods.com>) <manderson@mcguirewoods.com>; Christine Varney <cvarney@cravath.com>; Jesse Weiss <jweiss@cravath.com>

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Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Counsel,

Are you available at 12 p.m. ET on Tuesday (11/22) provide an update on any upcoming motion practice and discuss related briefing schedules?

Thank you,
Elizabeth

Elizabeth A. Gillen
Anticompetitive Practices Division
Bureau of Competition
Federal Trade Commission
egillen@ftc.gov
202-326-3364
202-660-8516 (mobile)

From: Mishkin, Paul S. <paul.mishkin@davispolk.com>

Sent: Monday, November 14, 2022 11:56 AM

To: Gillen, Elizabeth A. <egillen@ftc.gov>; msegall@cravath.com; Harty, Ronan P. <ronan.harty@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; DavidMarriott-contact <dmarriott@cravath.com>; kforrest@cravath.com; Mark E. Anderson (<manderson@mcguirewoods.com>) <manderson@mcguirewoods.com>; ChristineA.Varney-contact <cvarney@cravath.com>; JesseM.Weiss-contact <jweiss@cravath.com>

Cc: Weingarten, James <jweingarten@ftc.gov>; Baker, Joseph <jbaker1@ftc.gov>; Woodward, Mark <mwoodward@ftc.gov>; Takashima, Edward <etakashima@ftc.gov>; Carson, Wesley <wcarson@ftc.gov>; Kendall, Sandra <skendall@ftc.gov>; Nicole.Gordon@doj.ca.gov; carla.baumel@coag.gov; paul.harper@ilag.gov; Matthew.Michaloski@atg.in.gov; Noah.Goerlitz@ag.iowa.gov; Katherine.Moerke@ag.state.mn.us; Snider, Colin <colin.snider@nebraska.gov>; Margaret.Sharp@oag.texas.gov; tim.smith@doj.state.or.us; LauraMcFarlane-Contact <mcfarlanele@doj.state.wi.us>

Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Elizabeth,

We continue to disagree. The federal rules have to be considered in the context of MDNC local rules and practice, and our understanding is that a Rule 26(f) conference (let alone a Rule 26(f) report) is premature and not contemplated at the current stage of the litigation. We therefore don't agree to participate in a Rule 26(f) conference at this point.

Nevertheless, as we indicated, we are fine to proceed tomorrow with a discussion of certain preliminary issues, and with each side reserving its rights.

Regards,
Paul

Paul S. Mishkin

Davis Polk & Wardwell LLP
+1 212 450 4292 office
+1 917 783 6386 mobile
paul.mishkin@davispolk.com

From: Gillen, Elizabeth A. <egillen@ftc.gov>

Sent: Friday, November 11, 2022 9:33 AM

To: Mishkin, Paul S. <paul.mishkin@davispolk.com>; msegall@cravath.com; Harty, Ronan P. <ronan.harty@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; dmarriott@cravath.com; kforrest@cravath.com; Mark E. Anderson <manderson@mcguirewoods.com> <manderson@mcguirewoods.com>; cvarney@cravath.com; JesseM.Weiss-contact <jweiss@cravath.com>

Cc: Weingarten, James <jweingarten@ftc.gov>; Baker, Joseph <jbaker1@ftc.gov>; Woodward, Mark <mwoodward@ftc.gov>; Takashima, Edward <etakashima@ftc.gov>; Carson, Wesley <wcarson@ftc.gov>; Kendall, Sandra <skendall@ftc.gov>; Nicole.Gordon@doj.ca.gov; carla.baumel@coag.gov; paul.harper@ilag.gov; Matthew.Michaloski@atg.in.gov; Noah.Goerlitz@ag.iowa.gov; Katherine.Moerke@ag.state.mn.us; Snider, Colin <colin.snider@nebraska.gov>; Margaret.Sharp@oag.texas.gov; tim.smith@doj.state.or.us; mcfarlanele@doj.state.wi.us
Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Counsel,

The FTC disagrees that a 26(f) conference is premature. *See* Fed. R. Civ. P. 26(f) ("the parties must confer as soon as practicable," and "at least 21 days before a scheduling conference is to be held or a scheduling order is due under Rule 16(b)" (emphasis added), unless otherwise ordered); Fed. R. Civ. P. 16(b) (scheduling order generally due 60 days after any defendant has appeared). Given the scope of this case and the number of issues we should discuss before the initial pretrial conference, we do not see any reason to delay the Rule 26(f) process. We are hopeful that the parties can work together on a plan for the management of this case, and that we can resolve or narrow as many issues as possible; however, we anticipate that process will take more than one meeting and there is no reason not to start now.

In sum, we believe that the parties should promptly hold a 26(f) conference and file a 26(f) report thereafter. We ask Syngenta and Corteva to reconsider their position on this. If Defendants refuse to participate in a Rule 26(f) meet and confer, we reserve the right to submit a separate Rule 26(f) report pursuant to Local Rules 16.1(b) and 16.3.

Even if Defendants are not willing to engage in a Rule 26(f) discussion at this time, we believe it would be beneficial for all parties to discuss how the case will proceed, including matters relating to any anticipated motion practice and related briefing schedule, and the negotiation of a protective order.

We look forward to discussing these issues on Tuesday, and will send around a scheduler shortly.

Best regards,
Elizabeth

From: Mishkin, Paul S. <paul.mishkin@davispolk.com>

Sent: Wednesday, November 9, 2022 6:05 PM

To: Gillen, Elizabeth A. <egillen@ftc.gov>; msegall@cravath.com; Harty, Ronan P. <ronan.harty@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; DavidMarriott-contact <dmarriott@cravath.com>; kforrest@cravath.com; Mark E. Anderson (manderson@mcguirewoods.com) <manderson@mcguirewoods.com>; ChristineA.Varney-contact <cvarney@cravath.com>; JesseM.Weiss-contact <jweiss@cravath.com>

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Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Elizabeth,

We're happy to schedule time to talk, but we and Corteva think a Rule 26(f) conference is premature and not required or contemplated at this point under MDNC local practice given that no initial pretrial conference has been scheduled. On the understanding that this would not be a Rule 26(f) conference, we can make ourselves available for a discussion on November 15 starting at 11:30 AM.

Regards,
Paul

Paul S. Mishkin

Davis Polk & Wardwell LLP
+1 212 450 4292 office
+1 917 783 6386 mobile
paul.mishkin@davispolk.com

From: Gillen, Elizabeth A. <egillen@ftc.gov>

Sent: Wednesday, November 9, 2022 4:27 PM

To: msegall@cravath.com; Harty, Ronan P. <ronan.harty@davispolk.com>; Mishkin, Paul S. <paul.mishkin@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; dmarriott@cravath.com; kforrest@cravath.com; Mark E. Anderson (manderson@mcguirewoods.com) <manderson@mcguirewoods.com>; cvarney@cravath.com; JesseM.Weiss-contact <jweiss@cravath.com>

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<colin.snider@nebraska.gov>; Margaret.Sharp@oag.texas.gov; tim.smith@doj.state.or.us; mcfarlanele@doj.state.wi.us

Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Maggie,

Thank you for your reply. Within the proposed November 15 window, 11 a.m. – 12 p.m. works best for Plaintiffs. If this time also works for Syngenta counsel, we will send around an invite shortly.

Best regards,
Elizabeth

From: Margaret Segall <MSegall@cravath.com>

Sent: Wednesday, November 9, 2022 12:41 PM

To: Gillen, Elizabeth A. <egillen@ftc.gov>; Harty, Ronan P. <ronan.harty@davispolk.com>; Mishkin, Paul S. <paul.mishkin@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; DavidMarriott-contact <dmarriott@cravath.com>; Katherine Forrest <kforrest@cravath.com>; Mark E. Anderson (<manderson@mcguirewoods.com>) <manderson@mcguirewoods.com>; ChristineA.Varney-contact <cvarney@cravath.com>; JesseM.Weiss-contact <jweiss@cravath.com>
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Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Elizabeth,

Corteva counsel is available during the Tuesday 11/15 window you propose below.

Best,

Maggie

From: Gillen, Elizabeth A. <egillen@ftc.gov>

Sent: Wednesday, November 9, 2022 9:30 AM

To: Harty, Ronan P. <ronan.harty@davispolk.com>; Mishkin, Paul S. <paul.mishkin@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; Margaret Segall <MSegall@cravath.com>; David Marriott <dmarriott@cravath.com>; Katherine Forrest <kforrest@cravath.com>; Mark E. Anderson (<manderson@mcguirewoods.com>) <manderson@mcguirewoods.com>; Christine Varney <cvarney@cravath.com>; Jesse Weiss <jweiss@cravath.com>
Cc: Weingarten, James <jweingarten@ftc.gov>; Baker, Joseph <jbaker1@ftc.gov>; Woodward, Mark <mwoodward@ftc.gov>; Takashima, Edward <etakashima@ftc.gov>; Carson, Wesley <wcarson@ftc.gov>; Kendall, Sandra <skendall@ftc.gov>; Nicole.Gordon@doj.ca.gov; carla.baumel@coag.gov; paul.harper@ilag.gov; Matthew.Michaloski@atg.in.gov; Noah.Goerlitz@ag.iowa.gov; Katherine.Moerke@ag.state.mn.us; Snider, Colin <colin.snider@nebraska.gov>; Margaret.Sharp@oag.texas.gov; tim.smith@doj.state.or.us; LauraMcFarlane-Contact <mcfarlanele@doj.state.wi.us>

Subject: RE: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Counsel:

I write to follow up on my November 3 email. We are no longer available today, November 9, but please advise of your availability for a meet and confer during the remaining windows listed below, and we will send around a scheduler.

Best regards,
Elizabeth

Elizabeth A. Gillen
Anticompetitive Practices Division
Bureau of Competition
Federal Trade Commission
egillen@ftc.gov
202-326-3364
202-660-8516 (mobile)

From: Gillen, Elizabeth A.

Sent: Thursday, November 3, 2022 4:07 PM

To: Harty, Ronan P. <ronan.harty@davispolk.com>; Mishkin, Paul S. <paul.mishkin@davispolk.com>; Solomon, Jesse <jesse.solomon@davispolk.com>; 'Kane, Patrick M.' <PKane@foxrothschild.com>; Williams, Nikolaus <nikolaus.williams@davispolk.com>; Miller, Benjamin M. <benjamin.miller@davispolk.com>; Margaret Segall <MSegall@cravath.com>; DavidMarriott-contact <dmarriott@cravath.com>; Katherine Forrest <kforrest@cravath.com>; Mark E. Anderson (manderson@mcguirewoods.com) <manderson@mcguirewoods.com>; ChristineA.Varney-contact <cvarney@cravath.com>; JesseM.Weiss-contact <jweiss@cravath.com>

Cc: Weingarten, James <jweingarten@ftc.gov>; Baker, Joseph <jbaker1@ftc.gov>; Woodward, Mark <mwoodward@ftc.gov>; Takashima, Edward <etakashima@ftc.gov>; Carson, Wesley <wcarson@ftc.gov>; Kendall, Sandra <skendall@ftc.gov>; Nicole.Gordon@doj.ca.gov; carla.baumel@coag.gov; paul.harper@ilag.gov; Matthew.Michaloski@atg.in.gov; Noah.Goerlitz@ag.iowa.gov; Katherine.Moerke@ag.state.mn.us; Snider, Colin <colin.snider@nebraska.gov>; Margaret.Sharp@oag.texas.gov; tim.smith@doj.state.or.us; LauraMcFarlane-Contact <mcfarlanele@doj.state.wi.us>

Subject: FTC, et al. v. Syngenta Crop Protection AG, et al., No. 22-cv-828 (M.D.N.C.)

Counsel:

Please let us know when you are available to meet and to confer on or before November 18, pursuant to Federal Rules of Civil Procedure 16(b) and 26(f). In addition to the topics set forth in Middle District of North Carolina Local Rule 16.1 and Federal Rules 16(b) and 26(f), we would like to discuss upcoming motion practice, if any, and related briefing schedules. We are available during the following windows:

- Wednesday (11/9), between 2:00-4:00 p.m. ET
- Thursday (11/10), between 11:00 a.m. – 12:00 p.m. ET, or 3:00-4:00 p.m. ET
- Tuesday (11/15), between 11:00 a.m. – 2:00 p.m. ET
- Thursday (11/17), between 10:00 a.m. – 1:00 p.m. ET, or 3:00-4:00 p.m. ET

Best regards,
Elizabeth

Elizabeth A. Gillen
Anticompetitive Practices Division
Bureau of Competition

Federal Trade Commission

egillen@ftc.gov

202-326-3364

202-660-8516 (mobile)

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